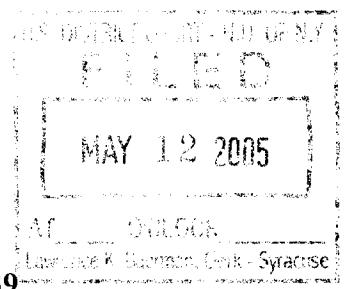


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK



Case No. 84-CR-139

UNITED STATES OF AMERICA,

v.

ROBERT M. WEICHERT, ADIRONDACK  
WOOD STOVE WORKS, INC., and  
TIMBERLINE EAST,

Defendants.

**NOTICE OF MOTION TO ANNUL,  
VACATE, AND SET ASIDE THE  
CONVICTION IN THE ABOVE  
CAPTIONED ACTION ON THE  
GROUNDS OF PROSECUTORIAL  
MISCONDUCT, and FURTHER,  
PURSUANT TO BRADY v.  
MARYLAND; PYLE v. KANSAS;  
BERGER v. UNITED STATES and  
SUBSEQUENT CASES, BASED ON  
THE PROSECUTORIAL USE OF  
PERJURED TESTIMONY.**

1:05-cv-571 (DNH)

Service of the Notice of Motion, Motion, Supporting Affidavit of Robert M. Weichert, defendant herein, together with the exhibits attached hereto, is hereby received and accepted.

Dated: May 12, 2005.

*Stephen R. Hart*  
For the United States Attorney For the  
Northern District of New York